



Declaration Under 37 C.F.R. § 1.132

Application No. 09/462,179

Attorney's Docket No. 022701-854

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Patent

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)

Nicolangelo PEDUTO et al.)

Application No.: 09/462,179)

Filed: March 10, 2000)

For: MULTILAYER STRUCTURE BASED)
ON POLYAMIDES AND TUBE OR)
CONDUIT WITH MULTILAYER)
STRUCTURE)

Group Art Unit: 1772

Examiner: Marc A. Patterson

Confirmation No.: 4762

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DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Nicolangelo Peduto, hereby declare that:

1. I have received a doctoral degree in Industrial Chemistry from the University of Naples (Italy) in 1991.

2. I am currently employed by Rhodia Engineering Plastics (previously Nyltech) of Ceriano Laghetto, Via Primo Maggio, 20020 Italy, from 1996 to 2003, and have been engaged in the research and development of multilayer polyamide structures.

3. I am a co-inventor of the above-identified patent application and have reviewed the Official Action issued by the U.S. Patent and Trademark Office on February 28, 2003.

4. I understand that claims 12 and 24 of the above-identified patent application currently recite the term "flexural modulus."

5. I understand that the Examiner has rejected claims 12 and 24 for reciting the term "flexural modulus," asserting that the application does not contain support for such term.

6. As a co-inventor of the above-identified patent application, I submit that the term "modulus" as recited in claim 12 of the originally filed application refers to the "flexural modulus."

7. In my expert opinion, one of ordinary skill in the art would have recognized that the term "modulus" recited in claim 12 of the originally filed application refers to the flexural modulus, in light of the fact that the originally filed application discusses that the inventive multilayer structure can have a good flexibility property.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 12/6/03

Nicolangelo PEDUTO

Nicolangelo Peduto